## DECLARATION AND POWER OF ATTORNEY

Docket No.: RUS013USU

As below-named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe that we are the original, first and sole inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

# **BALL-THROWING MACHINE**

the specification of which is attached hereto.

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We hereby state that we have reviewed and understand the content of the above-identified specification, including the claims.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations Sec. 1.56(a) which states as follows:

"(a) A duty of candor, and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application;"

and, we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations Sec. 1.63(d).

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

	Prior Foreign Application(s)			Priority Claimed	
			NONE		
(N	umber)	(Country)	(Day/Mon/Yr Filed)	Yes No	

We hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claim(s) of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

NONE (Appln. S/N) (Filing Date) (patented, pending etc.) (Appln. S/N) (Filing Date) (patented, pending etc.) Full name of first inventor: Gregory J. Battersby Date Feb. 25, 1999 finventor's signature Citizen: United States of America Residence: Westport, Connecticut Post Office Address: 25 Poplar Plain Road Westport, Connecticut 06880 #Full name of second inventor: James Cobb Date Feb 23, 1999 Inventor's signature Citizen: United States of America Residence: Tarrytown, New York Post Office Address: 70 South Broadway Tarrytown, New York 10591 Charles W. Grimes Full name of third inventor: Date 2/23/99 Inventor's signature\_ United States of America Citizen: Residence: Darien, Connecticut Post Office Address: 55 Allwood Road

Darien, Connecticut 06820



Full name of fourth inventor: Richard D. Schile, PhD

Compate 706.23, 1999 Inventor's signature\_

Citizen: Residence:

United States of America Ridgefield, Connecticut

Post Office Address:

22 Bloomer Road Ridgefield, Connecticut 06877

Full name of fifth inventor: Steve Van Geldern

Inventor's signature\_

Citizen: Residence:

United States of America Rowayton, Connecticut 5 Covewood Drive

Post Office Address:

ųj.

Rowayton, Connecticut 06853





Date Feb 25, 1999

Date Fel 23, 1999

### POWER OF ATTORNEY

As named inventor, we hereby appoint the following attorneys to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith:

James G. Coplit, Esq. Reg. No. 40,571 Gregory J. Battersby, Esq. Reg. No. 26,703

Charles W. Grimes, Esq. Reg. No. 27,791

Send all correspondence and direct all telephone calls to:

James G. Coplit, Esq. GRIMES & BATTERSBY Post Office Box 1311 Stamford, CT 06904-1311 (203) 324-2828

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Gregory J. Battersby

inventor's signature\_

Citizen:

Residence:
Post Office Address:

Whited States of America

Westport, Connecticut 25 Poplar Plain Road

Westport, Connecticut 06880

Full name of second inventor, James Cobb

Inventor's signature\_

Residence:

Citizen:

Post Office Address:

United States of America

Tarrytown, New York
70 South Broadway

Tarrytown, New York 10591

Full name of third invent	or: Charles W. Grimes	/ / o
Inventor's signature	alleles //	Date_ 2/ 23/99
Citizen:	United States of America	
Residence:	Darien, Connecticut	
Post Office Address:	55 Allwood Road	
	Darien, Connecticut 06820	
Full name of fourth inver	ntor: Richard D. Schile, PhD	
Inventor's signature Citizen: Residence:	Richard D. Achica United States of America Ridgefield, Connecticut	Date 7.6.23, 199
Post Office Address:	22 Bloomer Road Ridgefield, Connecticut 06877	
Full name of fifth inventor of		Date_ <u>3/1/99</u>

Applicant(s): Gregory J. Battersby, James Cobb, Charles W. Grimes, Richard D. Schile, and Steve Van Geldern Serial or Patent No: TBA Docket No.: RUS013USU  Filed or Issued: TBA  For: BALL-THROWING MACHINE  VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9 (f) and 1.27 (b) - INDEPENDENT INVENTOR  As a below named inventor, I hereby declare that I qualify as an independent inventor as a sefined in 37 CFR 1.9 (c) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled BALL-THROWING MACHINE described in  [X] the specification filed herewidh  [] application serial no						
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purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled BALL-THROWING MACHINE described in  [X] the specification filed herewith [ ] application serial no		STATUS	(37 CFR 1.9 (f)	and 1.27 (b) - INI	DEPENDENT IN	VENTOR
I have not assigned, granted, conveyed or licensed any am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).  Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:  [3] no such person, concern, or organizations listed below*  [4] [7] no such person, concern or organizations listed below*  [5] no such person, concern or organizations listed below*  [6] no such person, concern or organizations listed below*  [7] *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)  [7] **NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)  [7] **ITALL NAME**  **NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)  [7] **ITALL NAME**  **NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.28 (b) 1.10 NOTE)  [7] **ITALL NAME**  **NOTE: Separate verified statements are required from each named person, concern or organization and repair average of the status as a small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after paying in the status as a small entity status	purposes	of paying reduce	ed fees under section 41 (a)	and (b) of Title 35, United		
I have not assigned, granted, conveyed or licensed any am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).  Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:  [] no such person, concern, or organization [X] persons, concern or organizations listed below*  *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)  [] *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)  [] *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.28 (b))  [] *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.28 (b))  [] *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as a small entities. (37 CFR 1.28 (b))  [] **ID*** *ID*** *						
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or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (e) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).  Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:  [] no such person, concern, or organization [X] persons, concern or organizations listed below*  [] no such person, concern, or organizations listed below*  *NOTE: Separate venified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)  [] **NOTE: Separate venified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)  [] **IDILL NAME**  Kent Communications, Ltd.  ADDRESS**  P. O. Box 1169, Stamford, Connecticut 06904-1169  [] NON PROFIT ORGANIZATION  [] NON PROFIT ORGANIZATION  [] NON PROFIT ORGANIZATION  [] NON PROFIT ORGANIZATION  [] I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of equitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after alter due due to which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))  [] **I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such		[ ] patent no		, iss	ued	·
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Invention averring to their status as small entities. (37 CFR 1.27)	# <u> </u>	[ ] no such person, concern, or organization [X] persons, concern or organizations listed below*				
ADDRESS P.O. Box 1169, Stamford, Connecticut 06904-1169  [1] NON PROFIT ORGANIZATION  [1] I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))  [1] I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.  [Gregory J. Battersby James Cobb Charles W. Grimes Richard D. Schile Steve Van Geldern NAME OF INVENTOR NAME OF		invention averring to their status as small entities. (37 CFR 1.27)				
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And belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.    Gregory J. Battersby   James Cobb   Charles W. Grimes   Richard D. Schile   Steve Van Geldern	entitlement the date o	nt to small entity	status prior to paying, or a	t the time of paying, the ear	liest of the issue fee or any	sulting in loss of maintenance fee due after
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NAME OF INVENTOR NAME O	Gregory	I Battershy	James Cobb	Charles W Grimes	Richard D. Schile	Stove Von Geldem
FEB 25, 1999         Feb 23, 1999         2/23/49         Feb 25, 1999         3/1/99           DATE         DATE         DATE         DATE         DATE           25 Poplar Plain Road         70 South Broadway         55 Allwood Road         22 Bloomer Road         5 Covewood Drive           Westport, CT 06880         Tarrytown, NY 10591         Darien, CT 06820         Ridgefield, CT 06877         Rowayton, CT 06853	NAME OF	MAJY (	NAME OF INVENTOR		NAME OF INVENTOR	
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The state of the s					Ridgefield, CT 06877	Rowayton, CT 06853

Appli	cant(s): Gregory J. Batil	sby, James Cobb, Charles W. Grimes, Richard D. Schile, and Steve Van Geldern
		Docket No.: RUS013USU
Filed	or Issued: TBA	
For:	BALL-THROWING MA	CHINE
	VERIFIED STAT	EMENT (DECLARATION) CLAIMING SMALL ENTITY
	STATUS (37 C	FR 1.9 (f) and 1.27 (c) - SMALL BUSINESS CONCERN
I hereb		usiness concern identified below: usiness concern empowered to act on behalf of the concern identified below:
NAM	E OF CONCERN	Kent Communications, Ltd.
ADD	RESS OF CONCERN_	P.O. Box 1169, Stamford, Connecticut 06904-1169
reprodu numbe numbe full-tim either, to cont	uced in 37 CFR 1.9 (d), for purp r of employees of the concern, in r of employees of the business ne, part-time or temporary basis directly or indirectly, one concern rol both.	ed small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and oses of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the concern is the average over the previous fiscal year of the concern of the persons employed on a during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when controls or has the power to control the other, or a third party of parties controls or has the power
regard		act or law have been conveyed to and remain with the small business concern identified above with LL-THROWING MACHINE by inventor (s) Gregory J. Battersby, James Cobb, Charles W an Geldem described in
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	application serial no	, filed , issued
tot he i small b	nvention is listed below * and rousiness concern under 37 CFR in nonprofit organization under 3  *NOTE: Separate verified invention averring to their state.	statements are required from each named person, concern or organization having rights to the tus as small entities. (37 CFR 1.27) ADDRESS
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entity s as a sm I hereb believe punisha	status prior to paying, or at the thall entity is no longer appropriately declare that all statements may do be true; and further that that he is fine or imprisonment,	application or patent, notification of any change in status resulting in loss of entitlement to smal ne of paying, the earliest of the issue fee or any maintenance fee due after the date on which status
directe	d.	
	e Of Person Signing: ess Of Person Signiff	Gregory J. Battersby Title Of Person Other Than Owner President P.O. Box 1169, Stamford, CT 06905-1169
Signa	ture Alia	Date 3//99
Jigiia	J. 4/1-4/1	Date _3// 4/
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### ASSIGNMENT FOR UNFILED APPLICATION FOR US PATENT

WHEREAS, Gregory J. Battersby, a United States citizen, whose address is 25 Poplar Plain Road, Westport, Connecticut 06880, James Cobb, a United States citizen, whose address is 70 South Broadway, Tarrytown, New York 10591, Charles W. Grimes, a United States citizen, whose address is 55 Allwood Road, Darien, Connecticut 06820, Richard D. Schile, PhD, whose address is 22 Bloomer Road, Ridgefield, Connecticut 06877, and Steve Van Geldern, whose address is 5 Covewood Drive, Rowayton, Connecticut 06853 (collectively, the "ASSIGNORS"), have invented and own a certain invention entitled BALL-THROWING MACHINE for which application for Letters Patent of the United States has been executed on even date herewith.

WHEREAS, KENT COMMUNICATIONS, LTD., a Connecticut corporation having an address at P.O. Box 1169, Stamford, CT 06904-1169 ("ASSIGNEE"), is desirous of acquiring the entire interest therein, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries.

### NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that in consideration of the payment by ASSIGNEE to ASSIGNORS of the sum of ONE DOLLAR (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto ASSIGNEE the full and exclusive right, title and interest in and to said invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted.

ASSIGNORS COVENANT and AGREE and WARRANT that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale;

ASSIGNORS COVENANT and AGREE and WARRANT that ASSIGNEE will, at any time upon request, without further compensation, be provided with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in all foreign countries as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof.





Harch	IN WITNESS WHEREOF, we, 1999.	have hereto set hand and seal this 15th day of
		My Many Gregory J. Battersby
Sworn and subme this 25 <sup>th</sup>	scribed to before day of Honory, 1999.	,
Maine	London	
NO	Notary Public  A. A. SPANAKOS  TARY PUBLIC  SION EXPIRES AUG. 31, 2001	
		James Cobb
~~	day of Howary, 1999.	
ji Jaw	Notary Public	
no No	A A. ŚPANAKOS TARY PUBLIC. SSION EXPIRES AUG. 31, 2001	(fundas)
		Charles W. Grimes
Sworn and sub me this 23	scribed to before day of Hebriany, 1999.  Una Grand Rotary Public	
N	RA A. SPANAKOS OTARY PUBLIC ISSION EXPIRES AUG. 31, 2001	
,		Richard D. Sehir
	scribed to before day of February, 1999.	

Notary Public

LAURA A. SPANAKOS

NOTARY PUBLIC

MY COMMISSION EXPIRES AUG. 31, 2001



Steve Van Geldern

Sworn and subscribed to before me this it day of March, 1999.

Notary Public

LAURA A. SPANAKOS NOTARY PUBLIC MY COMMISSION EXPIRES AUG. 31, 2001